



United States Courts for the Ninth Circuit

# Public Information Office

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## NEWS RELEASE

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## **Court of Appeals to Hold Special Sitting at University of Washington**

SEATTLE – The Ninth Circuit Court of Appeals will hold a special sitting April 6 at the University of Washington School of Law. Oral arguments begin at 9:00 a.m. in the Magnuson/Jackson Moot Courtroom in William H. Gates Hall.

An appellate panel consisting of Senior Circuit Judge William C. Canby of Phoenix and Circuit Judges Richard C. Tallman of Seattle and Johnnie B. Rawlinson of Las Vegas will review rulings by district courts in Oregon and Western Washington, and appeals of decisions by the Board of Immigration Appeals (BIA), a part of the Department of Homeland Security. The cases on the docket are:

- *Situngkir v. Ashcroft*, in which Ronald Situngkir, a native and citizen of Indonesia, petitions for review of a BIA order summarily affirming an immigration judge's removal order and denial of his application for asylum, withholding of removal, and protection under the Convention Against Torture. Situngkir asserts that he will be attacked by Muslims if he returns to Indonesia because of his association with the Golkar political party. Case 03-72759.
- *Hapidudin v. Ashcroft*, in which Hapidudin, a Muslim native and citizen of Indonesia, petitions for review of the BIA's summary affirmance without opinion of an immigration judge's denial of his applications for asylum, withholding of deportation, and protection under the Convention Against Torture. One member of the BIA issued its decision. Case 03-74688.
- *United States v. Stafford*, in which Matthew Stafford appeals his conviction and sentence after his conditional guilty plea to two counts of unlawful possession of firearms (18 U.S.C. § 922(g)(3) and (9)). Case 04-30134.

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- *United States v. Marquez*, in which Sergio Ramon Marquez appeals from his conditional guilty plea and sentence for possession with intent to distribute cocaine, in violation of 21 U.S.C. § 841(a)(1) and 841(b)(1)(B). Case 04-30243.
- *Santiago v. Rumsfeld*, in which Emiliano Santiago, a sergeant in the Army National Guard, appeals from the district court's denial of his petition for writ of habeas corpus, seeking to enjoin respondents from deploying him to Fort Sill, Okla., and later to Afghanistan. Santiago challenges the government's "stop-loss" policy, which involuntarily extends a soldier's enlistment under 10 U.S.C. § 12305. Case 05-35005.
- *Ebert v. Braddock*, in which George Ebert, on behalf of himself and others, challenges under 42 U.S.C. § 1983 and the Supremacy Clause the promulgation by the State of Washington Department of Social Health Services ("DSHS") of rules to enact a budget that under-funded the State's required State Supplementary Payments ("SSP") by approximately \$16.4 million. The SSP program supplements the federal subsistence income floor level for indigent elderly, blind and disabled people. Ebert sought declaratory and injunctive relief and appeals the district court's determination that he did not have a right of action under the Supremacy Clause because he was not alleging a constitutional violation. Case 03-35956.

A complete schedule of cases to be heard by the panel during its Seattle sitting is available online at <http://www.ca9.uscourts.gov> by accessing the link to "hearing notice updates."

The Ninth Circuit Court of Appeals regularly hears cases in San Francisco, Pasadena and Seattle, and also travels periodically to other cities within the circuit to hold court.

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